

Atty Dkt No. OPF 22.02

Certificate of Transmission:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Box AF (Fax No. (703) 872-9303) on 13 January 2003.

Printed Name: Thomas P. McCracken

 Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

BROOKS et al.

Serial No.: 09/492,969

Art Unit: 3763

Filing Date: 27 January 2000

Examiner: M.K. Han

Title: PARTICLE DELIVERY DEVICE

NOTICE OF APPEAL

Commissioner for Patents
 Box AF
 Washington, D.C. 20231

Sir:

All finally rejected claims (specifically, claims 6 and 10-14) as stated in the decision of the Primary Examiner dated 13 August 2002 are hereby appealed to the Board of Appeals.

- Appeal Fee not required.
- Attached is a check to cover the Appeal Fee of \$320.
- ☒ Please charge the Appeal Fee of \$320 to Deposit Account No. 50-0828.
- ☒ Petition for Extension of Time enclosed.

The Commissioner is hereby authorized to charge any fees under 37 CFR Sections 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0828.

Respectfully submitted,

Date: 13 January 2003

By: 
 Thomas P. McCracken
 Registration No. 38,548

POWDERJECT PHARMACEUTICALS PLC
 Florey House, The Oxford Science Park
 Oxford OX4 4GA
 United Kingdom
 Telephone: +44 1865 332 600
 Fax: +44 1865 332 601

BEST AVAILABLE COPY

#10
 Notice of
 Appeal
 J. Byrce
 2/3/03